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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROSA MARTINEZ, JIMMY HOWARD,  
ROBERTA DOBBS, BRENT A.  
RODERICK, SHARON D. ROZIER, and  
JOSEPH SUTRYNOWICZ, on behalf of

themselves and all others similarly situated,

Plaintiffs,

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

No. CV-08-4735-CW

**AMENDED STIPULATION AND  
~~PROPOSED~~ ORDER REGARDING  
SEALING OF  
DOCUMENTS**

1 Plaintiffs Rosa Martinez, Jimmy Howard, Roberta Dobbs, Brent A. Roderick, Sharon D. Rozier  
2 and Joseph Sutrynowicz (collectively "Plaintiffs"), and Defendant Michael J. Astrue, Commissioner,  
3 Social Security Administration ("Defendant"), by and through their undersigned counsel, hereby  
4 stipulate as follows:

5 WHEREAS, remote electronic access to the record in this matter was limited;

6 WHEREAS, Plaintiffs requested that the file be made accessible to the public;

7 WHEREAS, Defendant opposed remote electronic access, contending that access in this case  
8 was governed by Federal Rule of Civil Procedure 5.2(c);

9 WHEREAS, Plaintiffs contended that Rule 5.2(c) was not relevant to this case;

10 WHEREAS, on August 11, 2009, the Court preliminarily approved a nationwide class action  
11 settlement in this matter and recommended that the parties try to stipulate what portions of the docket  
12 should remain sealed, such that the remainder could be accessible to the public;

13 WHEREAS, five of the six named Plaintiffs have submitted waivers stating that they understand  
14 information about them, including medical information, has been filed and will become publicly  
15 available and further stating that they each waive any privacy protections afforded them for purposes of  
16 this lawsuit;

17 WHEREAS, the remaining named Plaintiff, Jimmy Howard, has not submitted such a waiver  
18 because his counsel has not been able to locate him. In light of the sensitive nature of the facts of Mr.  
19 Howard's case, including that some of the relevant events occurred while Mr. Howard was a minor, the  
20 parties stipulate that the following documents will be partially or completely redacted as they appear in  
21 the publicly available record:

22 (1) Docket #63, # 93, Declaration of Deena Wilson, paragraph 18 (attached to the Carradero  
23 Declaration as **Exhibit A**)

24 (2) Docket # 63, # 93, Declaration of Deena Wilson, Exhibit D (attached to the Carradero  
25 Declaration as **Exhibit B**)

26 (3) Docket #67, Declaration of Michael Hanson, paragraphs 24-37 (attached to the Carradero  
27 Declaration as **Exhibit C**)

28 (4) Docket #73-74, Declaration of Michael Hanson, Exhibits 19-35 (attached to the Carradero  
Declaration as **Exhibits D and E respectively**)

(5) Docket #94, Declaration of Vivian Yao, paragraph 6.(attached to the Carradero Declaration as **Exhibit F)**

In addition, the parties further stipulate that the identification number of another named Plaintiff inadvertently contained in Docket #73, Declaration of Michael Hanson, Exhibit 17 will also be redacted. (attached to the Carradero Declaration as **Exhibit D)**

True and correct redacted copies of the aforementioned documents are attached to the Carradero Declaration.

**IT IS SO STIPULATED**

Dated: September 24, 2009

JOSEPH P. RUSSONIELLO  
United States Attorney  
ANDREW Y.S. CHENG  
MICHAEL T. PYLE  
VICTORIA R. CARRADERO  
Assistant United States Attorney

By: /s/  
VICTORIA R. CARRADERO  
Assistant United States Attorney  
  
Attorneys for Defendant

Dated: September 24, 2009

By: /s/  
GERALD A. McINTYRE  
Lead Attorney for Plaintiffs

**PURSUANT TO STIPULATION IT IS SO ORDERED.**

The Court clerk is hereby directed to remove and replace the above docket entries with the attachments to the Carradero Declaration filed with the above stipulation. Upon removal of the aforementioned items from the docket and replacement with the redacted versions attached to the Carradero Declaration, the docket may be unlocked.

DATED: September 24, 2009

